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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10532631	4/25/05	ANDERSON ET AL.	PD-202074

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**EXAMINER**

Stephen M.. D'Agosta

ART UNIT	PAPER
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2617	20080722
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DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The examiner has reviewed this latest IDS document (and its cited art) and continues to uphold his allowance.

The supplemental notice of allowance form again shows that the previously allowed claims are still allowed (eg. claims 1-18 and 61-62).

The examiner notes that his original "reasons for allowance" still holds since he interpreted that the parent application (eg. US 7,173,981) has broader claims than those in this application, hence these narrower claims are "inherently" allowable. Thusly, the NPL document (app 10/962346) cannot reject the claims since the '346 application's claims do not read on the allowed subject matter (either alone or in combination).

With regard to the Frank patent, this teaches CDMA/cellular concepts and not satellite networks, spot-beams, layered modulation and/or for digital Television.

Furthermore, the applicant has signed/executed a Terminal Disclaimer as well.

Note that the examiner has signed/dated the IDS forms (see attached).

/Stephen M. D'Agosta/  
Primary Examiner, Art Unit 2617